

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Makoto MOGAMIYA, <i>et al.</i>	Group Art Unit: 2622
Appln No.	: 10/670,218	Examiner: Pritham PRABHAKHER
Filed	: September 26, 2003	Confirmation No.: 6836
For	: Electronic Still Camera and Image Pick-Up Unit	

RESPONSE UNDER 37 CFR § 1.116

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

In response to the Final Official Action dated July 17, 2008, setting a shortened three-month statutory period for response to expire on October 17, 2008, and having been extended by two months to expire on December 17, 2008, Applicants respectfully request entry of the present amendments, and reconsideration and withdrawal of the outstanding objections and rejections in view of the herein contained remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Cancelled)

2. (Currently Amended) The electronic still camera according to claim [[1]] Z, wherein said electronic still camera comprises a focal plane shutter, and

wherein said transmission optical component and said image pick-up device are positioned behind said focal plane shutter with respect to said photographing optical system.

3. (Cancelled)

4. (Cancelled)

5. (Currently Amended) The electronic still camera according to claim [[1]] Z, wherein said transmission optical component comprises a concave lens having a concave surface on the sensor surface side.

6. (Cancelled)

7. (Currently Amended) An electronic still camera comprising:

a photographing optical system;

an image pick-up device; and

a transmission optical component;

wherein light rays of an object which are passed through said photographing optical system are incident on a sensor surface of said image pick-up device through said transmission optical component,

wherein said transmission optical component is shaped so as to shift an image point of an object image formed through said photographing optical system rearwards with respect to said photographing optical system,

wherein said transmission optical component includes a concave lens surface having a negative optical power,

wherein said transmission optical component is fixed to said image pick-up device with the space between the sensor surface and the transmission optical system being sealed in an air-tight manner,

wherein the surface on the photographing optical system side of said transmission optical component comprises a concave lens surface,

wherein said image pick-up device comprises:

a protection glass on the photographing optical system side with respect to said sensor surface; and

said transmission optical component which is installed on the photographing optical system side of said protection glass,

The electronic still camera according to claim 6;

wherein said transmission optical component comprises an infrared absorption filter, an optical adhesive layer, and an optical low-pass filter, cemented in that order from said photographing optical system side;

wherein the surface on the photographing optical system side of said infrared

absorption filter is a concave curved surface; and

wherein the surface on the photographing optical system side of said optical adhesive layer includes a concave surface of a plano-concave lens.

8. (Original) The electronic still camera according to claim 7, wherein the refractive index of said optical adhesive layer is greater than the refractive index of said infrared absorption filter.

9 – 21 (Cancelled)

REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided, for the indication that the drawings are acceptable, for the acknowledgement of Applicants' claim of priority and receipt of the certified copy of the priority document, and for the acknowledgment of Applicants' Information Disclosure Statement by return of the Form PTO-1449.

Applicants also acknowledge with appreciation the indication that claims 7 and 8 contain allowable subject matter on page 6 of the Official Action.

Applicants also acknowledge with appreciation the Advisory Action dated December 5, 2008.

Claims 2, 5, 7 and 8 are currently pending. Applicants note that claim 7 has been amended to place it into independent form, which the Examiner has indicated as being allowable. Claims 2 and 5 have been amended to depend from claim 7. Applicants respectfully request entry of the present amendments (which merely rewrite allowable claim 7 into independent form), reconsideration of the outstanding objections and rejections, and allowance of all the claims pending in the present application.

Applicants submit that entry of the present amendments are proper after Final Official Action since they merely rewrite an objected to, allowable claim into independent form.

On pages 2-4 of the Official Action, claims 1, 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FUJIMOTO et al. (U.S. Patent No. 7,391,457). Applicants note that claims 1 and 4 have been cancelled, and that claim 5 has been amended to depend from allowable claim 7. Accordingly, Applicants submit that

this rejection under 35 U.S.C. § 103(a) is now moot, and respectfully request reconsideration and withdrawal of this rejection under 35 U.S.C. § 103(a).

On pages 4 and 5 of the Official Action, claims 2 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over FUJIMOTO et al. in view of various secondary references to KOBAYASHI (U.S. Patent No. 7,084,920) and HAMAMURA et al. (U.S. Patent No. 6,700,617). Applicants note that claim 6 has been cancelled, and that claim 2 has been amended to depend from allowable claim 7. Accordingly, Applicants submit that these rejections under 35 U.S.C. § 103(a) are now moot, and respectfully request reconsideration and withdrawal of these rejection under 35 U.S.C. § 103(a).

Accordingly, Applicants respectfully request entry of the present amendments (which merely rewrite allowable claim 7 into independent form), reconsideration and withdrawal of these rejections under 35 U.S.C. § 103(a), and an early indication of the allowance of all of the pending claims.

SUMMARY AND CONCLUSION

Entry of the present amendments, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicants submit that entry of the present amendments are proper after Final Official Action since they merely rewrite an objected to, allowable claim into independent form.

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Makoto MOGAMIYA, et al.



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